



PATENT
ATTORNEY DOCKET NO.: KCX-359(15169)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Hsu, et al.	)	Examiner:	Gina C. Yu
)		
Appl. No.:	09/718,071	)	Art Unit/T.C.:	1617
)		
Filed:	November 21, 2000	)	Customer No.:	04-1403
)		
Title:	Water-Soluble Lotions for Paper Products	)	Confirmation No.:	1979
)		
		)	Customer ID No.:	22827

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

REPLY BRIEF TO EXAMINER'S ANSWER

Dear Sir:

Appellants submit the following Reply Brief in accordance with 37 C.F.R. § 41.41.

I. Real Party in Interest

The real party in interest in this Appeal is the assignee of record, Kimberly Clark Worldwide, Inc.

II. Related Appeals and Interferences

The Appellants and their legal representatives know of no other appeal, interference, or other preceding that would directly affect or be directly affected by or have a bearing on the Board's decision in the pending Appeal.

III. Status of the Claims

Claims 1-4, 7-17, 19-22, 24-27, 29, and 44-45 remain in pending in this application, including independent claims 1 and 22. All of the pending claims stand rejected in the Final Office Action of April 12, 2005.

Appellants appeal the rejection of all of the pending claims.

IV. Status of Amendments

To the Appellant's knowledge, all amendments have been entered into the record in the present application.

V. Summary of the Claimed Subject Matter

The Summary of Claimed Subject Matter is set forth in Appellant's Appeal Brief filed on Jan. 11, 2006, and is repeated herein.

VI. Grounds of Rejection to be Reviewed on Appeal

In the Final Office Action, all the pending claims, including independent claims 1 and 22, were rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 98/03147 to Hammonds, et al. in view of U.S. Patent No. 5,728,389 to Sebillotte-Arnaud and U.S. Patent No. 4,944,938 to Potini. The rejection of all of the pending claims, including independent claims 1 and 22, is hereby appealed.

VII. Argument

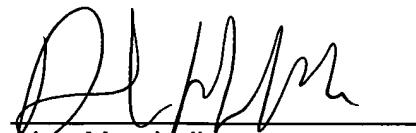
Appellants' arguments of the Appeal Brief filed on Jan. 11, 2006, are repeated herein, including each subsection below.

- A. **No motivation or suggestion exists to modify Hammonds, et al. as attempted by the Office Action in rejecting independent claims 1 and 22 under 35 U.S.C. § 103.**
- B. **Hammonds, et al. actually teaches away from the limitations of independent claims 1 and 22.**
- C. **Hammonds, et al. and Sebillotte-Arnaud cannot be properly combined to reject independent claims 1 and 22 under U.S.C. § 103.**
 - 1. **No motivation or incentive exists to combine the teachings of Sebillotte-Arnaud to the teachings of Hammonds, et al.**
 - 2. **The rejection improperly picks and chooses components from each reference without considering the references as a whole.**
- D. **No motivation exists to combine the teachings of Potini with the teachings of Hammonds, et al.**
- E. **Any motivation to combine either secondary reference with the teachings of Hammonds, et al. improperly stems from the pending application.**
- F. **Even if the references are combined, absent any motivation to do so, the combination fails to teach or suggest all of the limitations of independent claims 1 and 22.**
- G. **Reply to Examiner's Answer**

In the Examiner's Answer, the Examiner states that independent claims 1 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hammonds, et al. in view of Sebillotte-Arnaud and Potini, as a single rejection, instead of two separate rejections as treated by the Appellants' Brief on Appeal. Appellants do not believe that the classification of the rejection into a single rejection, as opposed to two separate rejections, substantially affects any of Appellants' arguments.

In conclusion, Appellants respectfully submit that the presently pending claims, including claims 1 and 22 are patentable over any of the cited references, either alone or in any combination. As such, favorable action and allowance of the pending claims is respectfully requested.

Respectfully submitted,
DORITY & MANNING, P.A.



Alan Marshall
Registration No. 56,405

Jason W. Johnston
Registration No. 45,675

DORITY & MANNING, P.A.
P. O. Box 1449
Greenville, SC 29602-1449
Phone: (864) 271-1592
Facsimile: (864) 233-7342

Date: July 3, 2006

VIII. Claims Appendix

1. An absorbent paper product for drying and conditioning the skin of a user, wherein the paper product is in the form of a towel, wipe, or napkin, said paper product comprising:

a paper web; and

a water-soluble lotion composition applied to said paper web such that the add-on level of said lotion composition is between about 1% to about 10% by weight of said paper product, said lotion composition comprising:

i) water in an amount between about 10% to about 90% by weight of said lotion composition;

ii) a water-soluble skin conditioning component, said water-soluble skin conditioning component including glycerin in an amount between about 2% to about 15% by weight of said lotion composition; and

iii) a viscosity-increasing component in an amount between about 2% to about 10% by weight of said lotion composition, said viscosity-increasing component including at least one alkoxylated alcohol surfactant.

2. A paper product as defined in claim 1, wherein said water comprises between about 10% to about 30% by weight of said lotion composition.

3. A paper product as defined in claim 1, wherein said water-soluble skin-conditioning component comprises between about 10% to about 40% by weight of said lotion composition.

4. A paper product as defined in claim 1, wherein said water-soluble skin-conditioning component further includes propylene glycol, sorbitol, or combinations thereof.

7. A paper product as defined in claim 1, wherein said water-soluble skin-conditioning component further includes sorbitol.

8. A paper product as defined in claim 7, wherein said sorbitol comprises between about 5% to about 20% by weight of said lotion composition.

9. A paper product as defined in claim 1, wherein said water-soluble skin-conditioning component further includes propylene glycol.

10. A paper product as defined in claim 9, wherein said propylene glycol comprises between about 5% to about 20% by weight of said lotion composition.

11. A paper product as defined in claim 1, wherein said viscosity-increasing component comprises between about 2% to about 5% by weight of said lotion composition.

12. A paper product as defined in claim 1, wherein said surfactant of said viscosity-increasing component includes PEG-80 glyceryl cocoate, behentrimonium methosulfate and cetearyl alcohol, PEG-2000, sodium stearoyl lactylate, PEG-75 lanolin, talloweth-60-myristyl glycol, or combinations thereof.

13. A paper product as defined in claim 1, further comprising a surfactant that inhibits the lotion composition from separating into more than one liquid phase, said surfactant comprising between about 20% to about 40% by weight of said lotion composition.

14. A paper product as defined in claim 1, wherein said lotion composition further comprises an antimicrobial agent.

15. A paper product as defined in claim 14, wherein said antimicrobial agent is present in an amount between about 0.01% to about 5% by weight of said lotion composition.

16. A paper product as defined in claim 1, wherein said lotion composition further comprises a preservative.

17. A paper product as defined in claim 16, wherein said preservative comprises between about 0.1% to about 2% by weight of said lotion composition.

19. A paper product as defined in claim 1, wherein said add-on level of said lotion is between about 1% to about 5% by weight of said paper product.

20. A paper product as defined in claim 1, wherein said paper product has a basis weight between about 1 to about 50 pounds per ream.

21. A paper product as defined in claim 1, wherein said paper product is a towel having a basis weight between about 10 to about 45 pounds per ream.

22. An absorbent paper towel for drying and conditioning the skin of a user, said towel having a basis weight from about 10 to about 45 pounds per ream, said towel comprising:

a paper web; and

a water-soluble lotion composition applied to said paper web such that the add-on level of said lotion is between about 1% to about 10% by weight of said paper towel, said water-soluble lotion composition comprising:

- i) water in an amount between about 10% to about 30% by weight of said lotion composition;
- ii) a water-soluble skin-conditioning component in an amount between about 10% to about 40% by weight of said lotion composition, wherein said water-soluble skin-conditioning component includes glycerin in an amount between about 2% to about 15% by weight of said lotion composition; and
- iii) a viscosity-increasing component in an amount between about 2% to about 5% by weight of said lotion composition, said viscosity-increasing component including at least one alkoxyolated alcohol surfactant.

24. A paper towel as defined in claim 22, wherein said water-soluble skin-conditioning component further includes sorbitol in an amount between about 5% to about 20% by weight of said lotion composition.

25. A paper towel as defined in claim 22, wherein said water-soluble skin-conditioning component further includes propylene glycol in an amount between about 5% to about 20% by weight of said lotion composition.

26. A paper towel as defined in claim 22, wherein said lotion composition further comprises an antimicrobial agent.

27. A paper towel as defined in claim 22, wherein said lotion composition further comprises a preservative.

29. A paper towel as defined in claim 22, wherein said add-on level of said lotion is between about 1% to about 5% by weight of said paper product.

44. A paper product as defined in claim 1, wherein said surfactant of said viscosity-increasing component includes talloweth-60-myristyl glycol.

45. A paper towel as defined in claim 22, wherein said surfactant of said viscosity-increasing component includes talloweth-60-myristyl glycol.

IX. Evidence Appendix

None

X. Related Proceedings Appendix

None